

# Zoning Administrator Hearing

## Minutes



**John S. Gendron**  
**Hearing Officer**

**October 20, 2009 – 1:30 p.m.**

View Conference Room, 2<sup>nd</sup> Floor  
55 North Center Street  
Mesa, Arizona, 85201

**Staff Present**

Angelica Guevara  
Mia Lozano-Helland  
Wahid Alam  
Tom Ellsworth

**Others Present**

Rulon Anderson

**CASES:**

Case No.: ZA09-044

Location: 2160 North Power Road

Subject: Requesting a Special Use Permit to allow a commercial communication tower to exceed the maximum height permitted in the R1-9 zoning district.

Decision: Approved with the following conditions:

1. *Compliance with the site plan except as modified by the conditions below.*
2. *The monopalm shall have a maximum height of sixty-five (65') at the top of the antennas.*
3. *The antennas shall not exceed 4'-4" in length, 1'-2" in width, and 4" in depth.*
4. *The antennas will be screened with a minimum of 55 fronds.*
5. *The antennas shall be painted to match the color of the palm fronds.*
6. *The equipment and equipment enclosure to be relocated out of the 15' wide landscape setback. The specific location to be approved by staff prior to submittal for a building permit.*
7. *The antenna standoff assembly shall not extend more than 8" from the pole.*
8. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Rulon Anderson represented the case for Clearwire. Mr. Gendron asked Mr.

**City of Mesa**  
**Zoning Administrator Minutes**  
**October 20, 2009**

Anderson and staff if there were any additional comments on the case. Ms. Guevara clarified a correction in setback and a revised site plan. She noted that the applicant has received a revised staff report. Ms. Guevara provided the staff report and recommendation. Mr. Gendron asked if there were any opportunities for co-location. Mr. Anderson stated that there is no availability for a co-location. Mr. Gendron approved the case based upon the staff report and recommendation.

Finding of Fact:

- 1.1** This Special Use Permit (SUP) will allow for the placement of a 65-foot high monopalm in an existing East Valley Freewill Baptist Church.
- 1.2** The applicant notified all property owners within 300-feet of the request and no comments or concerns were received.
- 1.3** The monopalm is 65-feet high and the array will consist of three sectors, with three antennas, three daps, and three microwave dishes. The antennas will be 4' 2" in length, 1' 1" wide, and 4" deep. A condition of approval has been added requiring the antennas be painted to match the color of the monopole.
- 1.4** The project will also include an equipment cabinet that will be screened by a 6' high screen wall. The elevation drawing shows a wrought iron gate with metal backing. The gate will be painted to match the screen wall.
- 1.5** There is an existing stealth monopole designed as a cross on the site that is not co-locatable..
- 1.6** The monopole and lease area are located at the center of the overall property owned by the church. The monopalm and 12x12 lease area are within the required 15' wide landscape setback adjacent to the southern property line. The monopalm, equipment, and screen wall around the lease area will be located within the vacant portion of the site. A condition of approval requires the 6' high screen wall and equipment to be relocated out of the landscape setback. The specific location will be approved by staff prior to submittal for a building permit.
- 1.7** The monopalm complies with the Commercial Communications Towers Guidelines in that it will be approximately 521-feet from the Power Road right-of-way and 433-feet from the Delmon Drive right-of-way, where only 130-feet would be required. In addition, the monopole will be approximately 521-feet from the adjacent residential subdivision to the north.

\* \* \* \*

**City of Mesa  
Zoning Administrator Minutes  
October 20, 2009**

Case No.: ZA09-045

Location: 1138 South Lewis

Subject: Requesting a Special Use Permit to allow a commercial communication tower to exceed the maximum height permitted in the M-2 zoning district.

Decision: Continued to the November 3, 2009 hearing.

Summary: N/A

Finding of Fact: N/A

\*\*\*\*

**City of Mesa  
Zoning Administrator Minutes  
October 20, 2009**

Case No.: ZA09-046

Location: 1 to 100 Block of North McDonald, 0 to 100 block of South MacDonald, and 0 to 100 block of West Pepper Place

Subject: Requesting a Special Use Permit to allow a Farmer's Market in the TCC zoning district.

Decision: Continued to the November 3, 2009 hearing.

Summary: N/A

Finding of Fact: N/A

\*\*\*\*

There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:34 p.m.

The cases for this hearing were digitally recorded and are available upon request.

Respectfully submitted,

John S. Gendron  
Hearing Officer

mlh  
G:\ZA\Minutes\2009\10-20-09.doc